

Minutes of the Meeting
of the
REAL ESTATE LICENSE COMMISSION
OF THE TERRITORY OF HAWAII

September 16, 1952, at the offices of the Commission, Rooms 109 and 121,
Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, T. H.

Present:

Eaton H. Magoon, Chairman
John K. Akau, Jr., Member
Stephen K. Miyagawa, Administrator
Robert H. K. Chang, Deputy Attorney
General, Territory of Hawaii

The regular meeting of the Real Estate License Commission of the Territory of Hawaii was called to order by Mr. Eaton H. Magoon, Chairman, at 9:00 a.m., at the offices of the Commission, Rooms 109 and 121, Honolulu Armory, corner of Hotel and Miller Streets, Honolulu, T. H. The reading of the minutes of the previous meeting was dispensed with. The order of business and the actions taken were as follows:

ORDER OF BUSINESS
Old Business

NALLO Convention - Door Prizes

Mr. Robert Semenow, Secretary-Treasurer of The National Association of License Law Officials, wrote to the Commission giving further instructions in handling the door prizes at the coming convention in Miami Beach, Florida. Both Mr. Magoon and Mr. Akau were informed of the proper mailing procedure by the Administrator. Mr. Magoon reiterated that the door prizes were their personal expense and not to be paid from the Commission funds.

The Administrator reminded the Commission that a letter to the Governor of Hawaii must be sent requesting approval to send official delegates to represent this Commission at the NALLO Convention in November. The members felt that due to the importance of attending such an educational convention and due to the financial status of the Commission, the Commission was justified in requesting both Mr. Magoon and Mr. Akau be permitted to attend the convention. The Administrator was instructed to draft the letter to the Governor for the final approval of the members.

Letter from Office of the Public
Prosecutor re Patrick Yim and his
Accomplices

The Administrator read to the Commission the letter of acknowledgment from Mr. Robert F. St. Sure, Public Prosecutor, City and County of Honolulu, regarding Patrick Yim and his accomplices who were recently involved in the real estate fleecing of Mr. and Mrs. Gregorio Omboy. Mr. Magoon suggested that this case be followed closely and further instructed the Administrator to check on the status of the case a month from this meeting.

Hawaii Construction & Realty Co., Ltd.

At the last Commission meeting held on August 11, 1952, the brokerage application of Hawaii Construction & Realty Company, Ltd., was delayed because Mr. J. Mijo, who was named as the principal broker of the brokerage, was suspended of his broker's license from 9/1/52 to 10/1/52. On August 28, 1952, Mr. Charles Ah Kee Goo, broker, was appointed as the principal broker in place of Mr. Mijo. Upon the favorable recommendation of the Administrator, Mr. Magoon moved, seconded by Akau and unanimously carried that a brokerage license be granted to Hawaii Construction & Realty Co., Ltd.

New BusinessCharles Ford & Associates, Incorporated

The Administrator reported that on August 19, 1952 a brokerage application to license a foreign corporation, Charles Ford & Associates, Incorporated, was received from the Guaranty Investment Co., Ltd. Mr. C. A. O'Rouark, broker, was named as the principal broker in charge of this corporation. Mr. Robert Chang, Deputy Attorney General of the Territory of Hawaii, was invited to the Commission meeting to render his opinion on this matter of licensing a foreign corporation. Mr. Chang felt that according to Chapter 157, Section 8391 (pertaining to foreign corporations), the applicant has met and complied with the necessary requirements and there is nothing in the law to prevent the issuance of such license. Mr. Magoon strongly repeated his feelings that this Commission is organized to protect the general public and also our licensees in its real estate transactions, and as such he felt that it is the duty of the Commission to question more thoroughly and ascertain the true intent and purposes of this foreign corporation before a license is approved and granted. It may be merely a subterfuge to "split commissions" with an unlicensed person which practice is prohibited under Chapter 150, Revised Laws of Hawaii, 1945, as amended 1951. Furthermore, the Administrator reported that the Better Business Bureau called his attention to some confidential report on Charles Ford & Associates, Incorporated. Since there was some question on the entire set-up of the brokerage in question, it was unanimously agreed that representatives of Charles Ford & Associates, Incorporated be invited to a Commission meeting to be held on September 24, 1952 at 9 o'clock. Mr. Chang will review the case closely and will be present at the meeting.

Akers Realty Company

Mr. Donald H. Akers and Parker D. Jeffers, brokers, have applied to license their copartnership under Akers Realty Company. A statement of co-partnership has been filed at the Office of the Treasurer of the Territory of Hawaii. Upon the favorable recommendation of the Administrator, it was moved by Mr. Magoon, seconded by Mr. Akau, and unanimously carried that a brokerage license be granted to Akers Realty Company.

Approval of Results of Examinations
For Salesmen and Brokers Held
on September 6, 1952

After a thorough review of the results of the real estate examinations for salesmen and brokers which were conducted on September 6, 1952 on Kauai, Hawaii, and Oahu, the following broker applicants were unanimously approved as passing:

Brokers

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Moranz, Vincent T.	1	91.76
Dicks, William F.	2	91.04
Nakata, Robert M.	3	90.98
Morita, George Y.	4	88.08
Hironaka, Sam S.	5	87.92
Lum, Richard M. C.	6	87.12
Kanetake, Irene Y.	7	86.38
Hanrehan, John Charles	8	85.80
Kobayashi, Kazuo	9	85.14
Cummings, Elizabeth	10	84.96
Tsue, Marian	11	83.21
Vento, Esther C.	12	83.13
Takara, Henry M.	13	83.09
Brash, Mae June	14	82.81
Teixeira, Charles R., Jr.	15	82.72

The Administrator was advised to contact the following broker applicants who made borderline grades to come in for an oral examination:

Brokers

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Patterson, Clara T.	16.	81.35
Fukata, Herbert	17	81.34
Eguchi, Koichi	18	81.06
Bonnet, Florence F.	19	80.62
Ahrens, Dorothy S.	20	80.53

The following broker applicants failed to make the passing grade:

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Smith, Russell F.	21	78.44
Ching, Edward S. F.	22	77.90
Koki, Fred S.	23	77.77
Fennell, Martin A.	24	77.69
Robinson, Nelson N. R.	25	77.69

Brokers (cont'd.)

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Char, Arthur T.	26	77.39
Kau, Bernard C. K.	27	76.46
Kudo, Alfred M.	28	75.76
Kondo, Clarence K.	29	71.60
Fong, Robert W. G.	30	71.34
Juan, Lino E.	31	70.41
Moreira, Walter B.	32	69.89
Kagawa, Isao	33	69.71
Koga, Isami	34	69.62
Pak-Chong, Peter A.	35	68.47
Sakamoto, James S.	36	66.34
Wong, Henry H.	37	65.39
Bell, William K.	38	58.87

On a motion by Mr. Magoon, seconded by Mr. Akau and unanimously carried, the following salesman applicants were approved as passing and their licenses granted upon the proper payment of \$25.00.

Salesmen

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Tom, Ayako S.	1	93.99
Robertson, John D., Jr.	2	93.25
Brandt, King	3	90.75
Collins, Irene H.	4	90.46
Duke, Charles W.	5	90.41
Yamamoto, Harry Y.	6	90.32
Pak-Chong, Gertrude C.	7	90.25
Tajima, Thomas T.	8	89.41
Lee, Dorothy N. N.	9	88.58
Louis, Clarence	10	87.16
Shiraki, Hideo	11	86.42
Soon, Henry L.	12	85.34
Calistro, Leonard F.	13	85.16
Kawakone, Chieko I.	14	84.50
Kanichi Izawa	15	84.16
Fagan, James J.	16	83.93
Voto, Phillip A.	17	83.33
Chun, Soon Ho	18	82.81
Nakamura, Susumu	19	82.76
Gomes, James A.	20	82.74
Salazar, Helen K.	21	82.68
Wilkins, Lorine E.	22	82.45
Peterson, Melvin N.	23	82.25
Yoshida, Yoshio	24	81.93
Scanlan, Vincent R.	25	81.77

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Zuendt, Lucile	26	81.22
Taylor, Robert S.	27	81.09
Davis, Oakley L.	28	80.68
Pao, Gloria	29	80.16
Cassidy, Alice C.	30	80.07
Kanealii, Raymond K.	31	80.03
Sato, Henry	32	79.43
Takao, Frank T.	33	78.78
Ching, William S.	34	78.53
Yoon, Alice W. H.	35	78.34
West, Sue M.	36	77.99
Kamiya, Lawrence M.	37	77.99
Hutchison, Ira H.	38	77.74
Kuga, Mildred H. Y.	39	77.31
Wiedmann, Bertha M.	40	77.15
Chinn, Newton K. S.	41	76.67
Sereno, Anthony P.	42	76.58
Sakamoto, James J.	43	76.54
Ando, Hiroshi	44	75.75
Faria, Benjamin A.	45	75.71
McLennan, Helen	46	75.65
Kawazoe, Kenneth	47	75.60
Kurisu, Fred S.	48	75.42
Otaguro, Wallace H.	49	75.41
Silva, John O.	50	75.24
Cassidy, Lawrence J.	51	74.84
Hughes, Helen A.	52	74.82
Lau, Kim Siu	53	74.76
Evans, Thomas S.	54	74.42
Takata, Shigeto	55	74.07
Olds, Patrick D.	56	74.00

The Administrator called the attention of the Commission on one George H. Bowles who successfully passed his salesman's examination with a grade of 83.98. The Better Business Bureau has reported that Mr. Bowles is alleged to have passed some bad checks. The Commission is also awaiting a reply from the Los Angeles and Sacramento Police Departments on some criminal records they may have on Mr. Bowles. Furthermore, Mr. Bowles has falsified his employment record in his salesman's application. From 1950 to 1952 Mr. Bowles claims to be the general manager of Electronics Company of Hawaii, which was checked to be a non-existent firm.

Upon a motion by Mr. Magoon, seconded by Mr. Akau, and unanimously carried, the following applicants for salesman's licenses will be examined orally by the Administrator. The Commission requested a recommendation by the Administrator for each applicant orally examined.

Salesmen Who Made Borderline Grades

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Soper, Thomas J.	57	73.95
Davidson, Lorene F.	58	73.03

Salesmen Who Made Borderline Grades (cont'd)

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Young, Harry E.	59	72.98
Iwamoto, Edmund N.	60	72.77
Yap, George O. L.	61	72.41
Ige, Thomas T.	62	72.31
Wong, Henry T. Q.	63	72.00
Weight, Kenneth M.	64	71.87
Barringer, Friedericke K.	65	71.32
Dwight, James A.	66	71.00
Mikami, Chujiro	67	70.76
Gomes, Theolinda	68	70.84
Yoshimura, Ted T.	69	70.65
Yamamoto, Raymond T.	70	70.57

The following salesman applicants failed to make the passing grade for a salesman's license:

<u>Name</u>	<u>No.</u>	<u>Grade</u>
Fukuda, George T.	71	69.99
Gamboa, Faustino P.	72	69.66
Maida, Yoshio	73	69.42
Briggs, Vivian W.	74	69.41
Oda, Harry M.	75	68.48
Hough, Wilma A.	76	68.34
Chee, Tom T. F.	77	67.34
Yamane, Haruo	78	67.16
Amai, Ah Tim	79	67.09
Chiba, Masashi	80	66.66
Chock, James W. H.	81	68.32
Hyde, Louise	82	65.59
Pestana, Edward	83	65.32
Laba, Leon F.	84	64.33
Endo, Kiyoto	85	64.00
Oshiro, Paul	86	62.26
Yokoyama, Seichi	87	63.68
Au, Lincoln Y. T.	88	61.82
Chun, George W. C.	89	61.07
Young, Paul Bai	90	60.76
Cherry, Emilie F.	91	58.09
Chong, Chong Wing	92	56.95
Matsumoto, Stanley H.	93	55.66
Pestana, Florentine	94	56.09
Ching, Agnes C.	95	53.32
May, Roy A.	96	52.41
Kalaiwaa, George P.	97	49.07
Fujimoto, George E.	98	46.07
Chang, George K. C.	99	37.75

Royal Hawaiian Realty

Mr. John K. Haili, broker, made proper application to register the trade name of Royal Hawaiian Realty at 319 Royal Hawaiian Avenue, Honolulu, T. H. The Administrator reported favorably on Mr. Haili and recommended that his request be approved. Upon a motion of Mr. Magoon, a second of Mr. Akau, and unanimously carried, Mr. John K. Haili's application to do business under Royal Hawaiian Realty was approved subject to his filing the trade name with the Treasurer of the Territory of Hawaii.

Reinstatement Request

On August 19, 1952, Mrs. Lou Hyland made proper payment and application to reinstate her salesman's license. The Administrator's recommendation to approve her reinstatement was unanimously accepted by the members of the Commission.

Nebraska Real Estate Commission

Mr. William F. Swanson of the Nebraska Real Estate Commission requested copies of our real estate examinations and stated that their Commission would be glad to reciprocate by sending us their examinations. The Nebraska License Commission is in the process of compiling a new series of examinations and is interested in reviewing the various examinations given by other license commissions in order to standardize their examinations. Upon a motion by Mr. Magoon and seconded by Mr. Akau, it was unanimously carried that copies of our examinations be sent to the Nebraska Real Estate Commission. It was suggested by Mr. Magoon that they be marked "CONFIDENTIAL."

Financial Report of Commission

The Administrator reported that the expenditures for the month of August 1952 amounted to \$290.67 as against the total receipts for the same month which totaled \$821.20. The cash balance in the Special Fund as of August 31, 1952 was \$11,602.72. The report was unanimously approved and accepted by the Commission members.

Real Estate Directory for
Salesman and Brokers

The Administrator reported that at the last meeting the Commission agreed not to publish a new real estate directory. However, due to the numerous requests for a new directory and due to the many changes in the addresses, names, and employment status, the Administrator requested a reconsideration. After some discussion, the Commission members felt it was rather early to decide on publishing a directory and decided that this matter be brought up in the agenda some time during December.

Bids for Printing Commission Forms

The following publishing companies submitted bids to print our real estate license certificates, identification cards for salesmen and brokers, and application forms for salesman:

	<u>Tongg</u>	<u>Mercantile</u>	<u>Watkins</u>
3,000 Application for salesman	\$93.70	\$68.50	\$69.50
2,500 License Cards	38.50	32.00	28.50
5,000 Certificates (3,000 white - s	<u>65.15</u>	<u>58.50</u>	<u>68.50</u>
2,000 buff - b)	197.35	159.00	166.50

After reviewing the bids, it was unanimously approved that the Mercantile Printing Company be awarded the bid for submitting the lowest figure.

The Administrator reported that the broker's application forms are running low in supply. He suggested that some revisions be made on the old application form and the color be in buff to distinguish it from the salesman's application form which will be in white. It was suggested that the following statement, which was approved at a previous meeting, be incorporated in the application form:

"I _____ certify that Mr. _____
 (real estate broker's name) (broker's license applicant)
 who is an applicant for a real estate broker's license did serve with me as
 a salesman under my supervision for a period of _____."

(signed) _____
 (real estate broker)"

The Commission members took into consideration the above suggestions and upon a motion of Mr. Magoon, seconded by Mr. Akau, it was unanimously carried.

Date of Next Real Estate Examinations

The date of the next real estate examinations on Oahu and all the main outside islands was definitely scheduled for December 20, 1952. The deadline for filing the applications will be December 1, 1952.

Public Hearing

The recommended date to hold the public hearing on October 1, 1952 at 9:00 a.m. to promulgate Rule 14 and to amend Rules 8 and 9 of the Rules and Regulations of the Real Estate License Commission was unanimously approved by the Commission. The Administrator was advised to follow the proper procedure in preparation of holding such a public hearing with the help of the Office of the Attorney General, Territory of Hawaii.

Complaints and Violations1. Case of Alvin B. and Mildred Cargile vs. Howdy Reynolds, broker

The Administrator reviewed this case as one where the broker is alleged to have commingled his client's funds and not being able to account for money received and in his possession. A formal hearing to either suspend or revoke Mr. Reynold's license was recommended by the Administrator; however, the Commission felt that it would be more advisable to hear the case in an informal hearing. The Commission, thereby, voted to hear the case on September 24, 1952 at 10:00 a.m. in the Commission offices.

2. Cases of E. M. Calhau, broker
George R. Farias, broker
Henry Gonsalves, salesman

Mr. Henry Gonsalves, salesman for George R. Farias, was found to be acting as a salesman for two brokers, according to advertisements in the Honolulu Star Bulletin on September 6, 1952. This is a violation of Rule 7, Rules and Regulations of the Real Estate License Commission which reads as follows: "No licensed real estate salesman shall operate except as a bona fide employee of a licensed real estate broker, and no salesman shall act or operate as a broker, or as a partner of a broker."

It was felt that this advertisement may have been an oversight and, therefore, the Administrator was instructed to write a very strong letter of reprimand both to Mr. Calhau and Mr. Gonsalves, brokers who are located in the same office, rather than take a stronger measure at this time. The Administrator recommended that our rules and regulations should make it mandatory for all branch offices to be under the direct control and personal supervision of one broker present at the branch office in order to avoid similar violations as cited above. (See attached clippings)

3. Case of William P. H. Lim vs. Pastor A. Pablo

The date to hear this pending case was again brought up. The Commission felt that the other urgent cases should be disposed of first and requested the Administrator to set a date for a formal hearing at a later date.

4. Case of James H. Watada

A letter was received from Mr. Watada's counsel, Mr. George Y. Kobayashi, requesting that Mr. Watada be accorded a proper hearing to show cause why his salesman's license should not be reinstated. As recommended by the Administrator, Mr. Magoon moved, seconded by Mr. Akau, and unanimously carried that Mr. Watada be called before the Commission on September 24, 1952 at 10:00 a.m.

Respectfully submitted


Stephen K. Miyagawa,
Administrator